

REMARKS

Claims 12 has been amended.

Claims 13-14 have been canceled.

Dependent claims 68-74 have been added. Support for these claims may be found in the specification at, for example, page 6, line 14 through page 7, line 11; and page 38, line 1 through page 40, line 23.

Independent claim 75 and dependent claim 76 have been added.

35 U.S.C. §102

The Office Action indicated that claim 14 was objected to as being dependent on a rejected base claim, but stated claim 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 12 has been amended to include all of the limitations of claim 14 and intermediate claim 13, such that claim 12 is now allowable. Because claim 12 is allowable, dependent claims 15-16 and 68-74 are in condition for allowance as well under MPEP 608.01(n)(III).

The Office Action indicated that claim 16 was objected to as being dependent on a rejected base claim, but stated claim 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 75 has been written to include all of the limitations of claims 12, 16 and intermediate claim 15, such that claim 75 is allowable. Because claim 75 is allowable, dependent claim 76 are in condition for allowance as well under MPEP 608.01(n)(III).

Claim 12 has been amended solely to facilitate allowance of this application. Assignee expressly does not acquiesce to the grounds of rejection of claims 12, 13 and 15 set forth in the Office Action.

REQUEST FOR ALLOWANCE

Allowance of the pending claims is respectfully solicited. Please contact the undersigned if there are any questions.

Respectfully submitted,

/Brian A. Schar, Esq./

Brian A. Schar, Esq.
Reg. No. 45,076
Director of Intellectual Property
Cardica, Inc.
Tel. No. (650) 331-7162